Case Against Robert Muldoon

and his National Party Government

by
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A retired Stipendiary Magistrate, of Christchurch, addresses fellow-New Zealanders, and submits reasons why the present Prime Minister and his government should be regarded as having lost the confidence of the people.

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1. Introduction

I believe that the present Prime Minister's "leadership" has failed to meet the needs, hopes, and aspirations of the people of New Zealand; and that this could be shown in different ways and from different standpoints.

This pamphlet represents my approach. It runs three risks. First, of concentrating overmuch on the issues raised by Sir Keith Holyoake's appointment last year to the office of Governor-General. Secondly, by its total silence upon purely economic matters. Thirdly, by not dealing more fully with the principal leadership alternative offered to electors. Indeed it is far from being the grand remonstrance which should, and perhaps one day will, be written: something beyond my competence, and which limitations of space prevent.

It also has the disadvantage of being a personal narrative: but last year I was active in protest, and the special circumstances must be told. At the risk of my views sounding individual — and no greater mistake could be made about them — it is more convenient to use the personal pronoun throughout, which will go along best with my duty to be candid.

2. The Holyoake appointment

(a) Announcement

It is Monday 7 March 1977, the last day of the Queen's 14-day "Meet The People" tour. Last night in Christchurch Her Majesty's farewell banquet took place, attended by New Zealand's leading VIP's. Morning newspapers carry an NZPA Staff Correspondent's report that "Government and Royal Household spokesmen yesterday ruled out a widely predicted likelihood of an announcement (of a successor to Sir Denis Blundell as Governor-General) before the Queen leaves New Zealand today." It looks as if the decision-makers may be pausing for thought.

Not so. Shortly after 9a.m. the news breaks. Announcement issues from HMY *Britannia* at Lyttelton that the Queen has "on the recommendation of (Her) Ministers in New Zealand, been graciously pleased to approve the appointment of the Right Honourable Sir Keith Holyoake, GCMG, CH, MP, as Governor-General for a term of three years in succession to Sir Denis Blundell, GCMG, GCVO, KBE, who will retire on September 27, 1977."

An hour later the leading members of last night's party have gathered at Christchurch Airport for the final farewell. Her Majesty arrives, boards her aircraft for Canberra, and departs. Thereupon,

before general dispersal — as a sort of unscheduled, unofficial scene — there is heard a brief dialogue between two persons. More of that below (g). For the moment let us glance back a few days.

(b) The Days before announcement
John Citizen speaks up

Speculation had been mounting as to the likely appointee. The Prime Minister, when questioned, had not been forthcoming: his answers pointed, but not definitely, to a politician. "There is now less rigid adherence," he said, "to old protocol:" and he referred to Australia's Sir Paul Hasluck (1969-74). Sir Keith had replied "no comment." Only in the final week before the *Britannia* announcement did possibility turn to probability. In retrospect it would seem that the Prime Minister was anxious, but not too anxious, to learn the mind of John Citizen. And uncertainty, a damper upon the open expression of opinion, could not much longer be maintained: time was running out.

Already a few protests had shown up: and I believe that the following letter in the correspondence column of *The Press* (Christchurch) on 28th February typifies the honest misgiving then being felt: "Is it not a fact that any NZ Governor-General, as the Queen's representative, is appointed as an unbiased and true representative for the whole New Zealand people? This would be the impression John Citizen received of many such past men. While some will extend political appointments to this respected office, I think it would be a backward step to appoint a Member of Parliament of any party, sitting or past, to such a post. Our democratic right in New Zealand to our own views is still just such a sacred right. To suggest political appointments would surely do nothing to enhance respect and support by all people for the Monarchy."

(c) Christchurch Star editorial, 28 February

Under the heading — "An office above politics" this was worded conditionally, on the possibility of Sir Keith's appointment: "in the circumstances it would be a most unfortunate choice — nothing more than a political appointment to an office which, by tradition and inclination, has been kept free of politics." The move "straight from Parliament to Government House" would be "constitutionally unacceptable."

By 3 March, when the Queen and the Duke of Edinburgh arrived in Christchurch, the rumours from Wellington were increasing: and the next afternoon the following statement in my name appeared as the

principal item on the front page of The Christchurch Star. For reasons which will appear, it is desirable to reproduce it in full:

(d) Magistrate's "uncalled for" Statement, 4 March

"Last Monday evening The Christchurch Star expressed editorially the view that the Governor-Generalship is an office above politics. One might have supposed that this principle – elementary and essential for New Zealand, however much eroded in Australia – was so well established here as to command unquestioning respect and observance by governments of whatever party. Indications are, however, that the present Government either does not understand it, or intends to override it: and the Prime Minister's answers at his Press Conference this week, together with Sir Keith Holyoake's earlier no comment, are such us to increase rather than allay misgiving.

"In appearing to justify the appointment of a politician as the Queen's Representative, the Prime Minister is reported as saying that there is now less rigid adherence to old protocol. I submit that to equate with protocol (whether old or new) a long-standing constitutional safeguard is to confuse the two and demean the latter. Need it be insisted that there is more to the Office of Governor-General than forms and ceremonies? Does the Government need to be told that to install an old friend and party colleague in Government House would be so obviously partisan and self-serving, both in appearance and reality, as to be incredible as a responsible act of state? And would not such a step be injurious to the Monarchy itself, which has so long and so rightly eschewed party political connection?

"At the risk of causing individual and personal embarrassment, I declare my conviction that the appointment of a politician (in the sense here described) to the Office of Governor-General would be a profound mistake and unacceptable to the people of New Zealand as a whole. If in so doing I incur displeasure and the charge of presumptuousness and discourtesy, my answer can only be, and is: first, that, thankfully, we still live in a democracy. Secondly, that I intend no disrespect or discourtesy to the Office of Prime Minister, upon whom chief responsibility falls, nor to the Office and Person of Her Majesty, now happily among us here in Christchurch. And only because of the apparent reticence of others far better placed to counsel and caution the decision-makers, even at the eleventh hour, do I venture to make protest myself."

This statement was reported throughout New Zealand, appearing in most evening papers the same day, and in the rest the next morning.

(e) Rebuke by Minister of Justice

At that time (indeed until 31 March 1977) I still held office as a Stipendiary Magistrate, having been appointed 12 years earlier. I well knew that a judicial officer's freedom to express himself publicly was to some extent limited, and that some people would object to my having spoken at all. The Minister of Justice (Mr Thomson) was prompt to make his disapproval known, which he did the next day (Saturday 5 March) in the newspaper:

"The Minister of Justice (Mr Thomson) believes comment by a Christchurch Magistrate on the possible appointment of a politician as Governor-General was uncalled for. He said, it is one of the things the executive does not do — criticise the judiciary — and I am most concerned that I should maintain that independence of the judiciary. But I must say, I think it is uncalled for, for them to move outside their sphere."

(f) Magistrate's Rejoinder

It seemed to me that the Minister's rebuke ought not to go unanswered, and in a prepared statement which I supplied to the newspapers, radio, and television the following afternoon (Sunday, 6 March) I said: "I note yesterday's statement by the Minister . . . If his meaning be that in no circumstances may a judicial officer openly express himself upon a public question unconnected with any proceedings before him, I respectfully dispute such a contention. The subject-matter here is no ordinary one of politics, but a constitutional issue of grave importance for present and future. New Zealand governments in the past, with the cooperation and support of the Sovereign, have faithfully followed the wholesome practice of keeping the Office of Governor-General free of party political connection. This the present Government, without the semblance of a mandate from the people, seemingly now intends to reverse. I recognise no duty to stand by in silence and watch this happen.

"The substantive objections I endeavoured to state on Friday — applicable to any political appointment to this Office, but more particularly to the two ex-Party leaders whose names have been canvassed — in my view are unaffected by legal refinements, and far outweigh all considerations of expediency, convenience and the like. I believe that what ultimately is at stake is consensus, that principle at the heart of democracy without which it cannot function, let alone flourish.

"The responsibility in this matter is with the Prime Minister. He has

it in his power to refrain. I earnestly hope he will do so, in the interests of all."

By this time there were more voices than mine urging restraint. But the Prime Minister would not be deterred nor delayed, and scarcely more than 12 hours later he presented the nation with a fait accompli. I return to this in a moment: here there is one more fact to record.

(g) The Chief Justice

Although at the weekend 4-5 March the indications that Sir Keith Holyoake would soon be appointed were very strong, there was no certainty about it: and, on that ground alone, it is not surprising that, when questioned, the late Chief Justice (Sir Richard Wild) should have declined to comment.

There came a moment, however, when he did. It was at Christchurch Airport on the Monday morning immediately upon the departure of the Queen's Flight. The following exchange then took place between the Minister of Justice (Mr Thomson) and himself:

> The Minister: Why don't you keep your Stipendiary Magistrates in order?
>
> The Chief Justice: It's not for me to keep them in order: that's your job if anybody's. Anyway it's a free country. And anyway I agreed with every word he said.

I learnt of this from trustworthy sources five days later. Need I say that such words from a much respected Head of the Judiciary gave me very great satisfaction. And that when Sir Richard wrote me personally on 7 April saying (amongst other things) that "you were perfectly right in what you said on 4 March," I knew there could be no doubt about the fullness of his agreement with the views I had expressed.

3. Appointee, Office, and Manner of Appointment

Section 4 below provides some record of public reaction to the appointment. For a better understanding, however, of those views expressing dissent or protest, there must first be set down, accurately and candidly, the essential facts about the appointee, the nature of the office, and the manner of appointment. These facts I shall state and formulate in relation to the critical issue viz. "Is this, or not, a partisan appointment?"

(i) The Appointee

Various descriptions have been given of Sir Keith Holyoake's career over the years, but for purposes relevant to the issue I have found

nothing plainer nor more succinct than that given by Professor W. H. Oliver, Professor of History at Massey University. Writing editorially in October 1977 in the quarterly journal Comment he summarises thus:

> "Sir Keith Holyoake has been deeply immersed for more than 40 years in party politics, and not at all involved, to any significant extent, in anything else†. His long career is devoid of bi-partisan experience; he was out of politics during the wartime period when such experience would have been, in a marginal way, available. He has no achievement in any of the non-political fields in which previous Governors-General have achieved a measure, sometimes modest, of distinction, such as military service, law or literature. Unlike those of his predecessors of aristocratic origins or status, he has no degree of distance at all from the New Zealand political scene. His record is, overwhelmingly, one of political partisanship . . . As recently as the 1975 election, his performance on television (the National Party's election eve programme) was characterised by extreme and indeed bitter partisanship. Between that election and his resignation he has not been much in the public eye. Still, he was during that period a Cabinet Minister, and so shares the collective responsibility for very recent policies and practices – everything from the Moyle affair to random checks on overstayers. His partisanship is not buried deep in the past; it is a matter of very recent record."

(See also Sir Keith's entries in Who's Who in New Zealand (1978) and Who's Who (U.K. 1978), presumably supplied by Sir Keith himself).

(ii) The Office

The best short account of the office is contained in the N.Z. Commentary to the "Constitutional Law" title of *Halsbury's Laws of England* (Author A. C. Brassington, under the editorship of Sir Alexander Turner) Chapter 32, C12, from which I quote in part.

> "The powers of the Governor-General may be classified as (1) those of statutory origin, vested in and exercised by the Governor-General-in-Council, and (2) the prerogative and discretionary powers of the Crown which still survive as parts of the Royal prerogative, and which are vested in the Governor-General personally as representative of the Sovereign. These prerogative and discretionary powers are now in fact habitually exercised by the Governor-General, and his functions carried out, only on the advice of his Ministers. Besides these there remain his right to be consulted, the right to encourage, and the right to warn. There is also by necessary inference an implicit right to be kept informed by his Ministers in all matters relating to his exercise of those rights. The office retains some important formal and social facets. It may be characterised in its normal aspects as politically neutral and socially exemplary, but of pre-eminent symbolic value in that the Governor-General is the Queen's representative in New Zealand."

See also the *New Zealand Official Year Book 1977* pp 40-41.

Useful also is an extended article by Dr F. M. Brookfield, Associate Professor of Law, University of Auckland, shortly to be published in

†. It was also no doubt Sir Keith's career which led Professor Angus Ross to call his appointment "as strikingly political an appointment as it is possible to conceive." (The Press, Christchurch, 29 October 1977).

the N.Z. Law Journal under the title of *"No Nodding Automaton: A Study of the Governor-General's Powers,"* the final paragraph of which I quote by permission:

> "(Pending better checks) there is no valid argument for weakening the existing institutions. We have drawn attention to the Governor-General's important reserve powers and discussed to some extent the situations, not all unlikely, in which he might properly exercise them. It will be plain that he must bring to his office not only an ability to carry out formal duties with distinction but also much more important qualities, political independence, some political acumen and (one would hope) some sensitivity to issues of the liberty of the subject. Of those three qualities it is essential that at least the first be apparent as well as real. The ordinary citizen, as well as the lawyer, who understands well enough the type of manifestly independent person suitable for the lesser office of an Ombudsman should have no difficulty in seeing why."

(iii) Manner of appointment

(a) It was forced upon New Zealand by the Prime Minister

It was unprecedented in relation to all previous appointments to the New Zealand governor-generalship, which have been consistently non-political; long prepared in advance (at least 12 months) and without prior warning to or discussion with the electorate; surrounded by offputting answers to natural and justifiable questions by journalists (including a disingenuous implication at a late stage that a woman might be selected); and finally, a few days before the announcement, when the public was obviously critical, and when postponement could have given time for maturer consideration, it was rushed to its already predestined end by an obdurate and insensitive Prime Minister.

(b) It was forced upon the Opposition

This may seem a minor point. Not so. Not only was Mr Rowling treated with gross discourtesy by Mr Muldoon (his communication to him being made only after the public announcement, with the insulting cant of "apology" added). The matter goes deeper. I remind readers of the expression "Her Majesty's Opposition." The idea may be a difficult one for Mr Muldoon to grasp (except, perhaps, when in opposition himself)‡, but it is full of meaning — curiously and typically British, and none the worse for that. It implies that under our constitutional monarchical system a special status and respect is due to that Party which for the time being occupies second place in the nation's confidence. I believe it also tells us, at a deeper level, that our

‡. For a bitter and extended complaint by Mr Muldoon (supported by Mr Thomson) against the then Prime Minister Mr Kirk for a failure to observe the normal courtesy of Parliament, of prior intimation of the intended introduction of the Marine and Power Engineers Institute Industrial Disputes Bill, see *Hansard* for 9 July, 1974.

democracy will function and flourish only to the extent that we mutually respect each other, and that while allowing party differences their full and rightful place there is enough sense of unity within the nation to carry it through all the vicissitudes of peaceful change.

And here, I draw attention also to the mode of appointment which Parliament unanimously chose in 1962 in relation to the new Office of Ombudsman. Not only did the Act provide for appointment "on the recommendation of the House of Representatives," but recommendations by the House, both then and since, have been unanimous and upon a bi-partisan basis. Would anyone suggest that a like mode of appointment of governor-general would not be an improvement upon that adopted last year? In this connection the firm and constructive reaction of the Labour Party's Maori Policy Advisory Council is noteworthy: "Mindful of the loyal and unswerving support by the Maori people for the Queen, her heirs and successors, this Council strongly objects to the appointment of Sir Keith Holyoake as Governor-General and urges that all future appointments to this high office be undertaken with the approval of Parliament."

(c) Was the appointment also forced upon the Queen?

Perhaps the facts will never be known. Constitutional law and convention clearly prescribe that the Queen is bound to act as recommended by her Ministers in New Zealand. She did so. On the face of it the responsibility was wholly theirs. Mr Muldoon could compel: she had no option but to appoint his nominee.

But some misgivings remain. One might have hoped that the Queen, being now according to her *first* title (for us, never mind about Australia!) "Queen of New Zealand" (Royal Titles Act 1974), might have offered some little resistance to a proposal which breached our usages (never mind about Australian!). Perhaps she did. But whether she did or not, I think that Sir Basil Arthur (and many others) are right in feeling some anxiety for the future of the Monarchy in New Zealand. The argument could run this way: if the Monarch or her representative is to have any value as a check upon executive irregularity or despotism, she (or he) must be prepared, in the last resort, to stiffen and act in preservation of the nation's particular laws and usages existing for that purpose. If upon such a happening our foundations are shaken, so be it. The walls will not necessarily crumble, and the shaking itself may prove that our democracy is a living organism, not just something we politely talk about. It could even give fresh meaning to the people's prayer "God Save The Queen." Otherwise, what will remain but symbolism, plus some formal and

decorative trappings? An elected president would then suffice, and perhaps even the decoration would not be greatly missed. Moreover, both in appearance and reality, a republic could be said to be more democratic. I am astonished that the New Zealand National Party, proclaiming as its first aim and object "loyalty to Her Majesty The Queen" should not, seemingly, be more alive to these things.

4. Public Opinion

The announcement of the appointment released a sufficient number of views to indicate a weighty preponderance of misgiving and disapproval throughout the country. I record a sample of these below, where possible by direct quotation, and with some abbreviation:

(i) Editorial

Auckland Star, 4 March: "Questions of principle should not be brushed aside lightly."

The Dominion, Wellington, 5 March: "If the appointment is going to a politician the Government must obtain the support of the Opposition. The Office is above politics and above party, which makes imperative some sort of a bi-partisan agreement about the appointment."

9 March "Mr Muldoon's method of replying to criticisms of the Governor-General nomination from a magistrate and from a political scientist were not only in poor taste but typical of a tactic which is becoming wearisome. The Prime Minister is playing into the hands of a pre-election group which claimed he would retaliate in just this way."

12 March "The Prime Minister has had plenty to say in defending the nomination, some of it personal and vindictive in a style becoming too commonplace, some persuasive and useful where he argues the case for resident New Zealanders to hold the office, and for politicians to be eligible with everyone else. But we have noticed from the letters we have received and from other reader comments that the community just does not accept Mr Muldoon's defence of his nomination."

15 March "The Government's case for nominating Sir Keith in the way it did is breaking up with every further defence of it."

Evening Post, Wellington, 7 March "The Government must have been well aware of (the-Monarch-apart-from-politics-tradition). If it was in any doubt the remarks of Christchurch S.M. Mr H. J. Evans last Friday should have served as a timely reminder."

18 March "Like other newspapers we have carried a cross-section of reaction, most of it critical . . . It is naive of the Acting Prime Minister Mr Talboys to imagine that it will all settle down and people will say they were wrong when Sir Keith and Lady Holyoake take up office and start performing their duties. The National Party caucus could naturally be expected to congratulate the Holyoakes, unanimously despite reservations on the part of 'one or two members.' Mr Talboys even admits to being personally surprised at the public's

reaction . . . But for the Acting Prime Minister to seriously believe 'it will all settle down' is seriously to misjudge the depth of current public feeling."

The Press, Christchurch, 8 March "A Bad Break from Tradition: an unwise and perhaps damaging precedent. His ability to perform the mostly ceremonial duties may be assumed: the mistake is one of principle."

Otago Daily Times, 8 March "A Distinguished Kiwi: It is humbug to suggest that Sir Keith should be ruled out."

N.Z. Herald, Auckland March "A precedent that NZ could well do without."

N.Z. Truth, 15 March "Misgivings are coming through loud and clear. Already in typical style he has savaged a South Island Magistrate for daring to voice his opinion. Many people from all walks of life are unhappy with the appointment. Mr Muldoon has set a political precedent for a non-political position. All the Queen's horses and all the Queen's men will never alter that.

22 March "Mr Muldoon, you are ignoring the correspondence columns in newspapers, the people's leader writers!"

(ii) Individuals

March 10 *NZ Herald,* Auckland states that readers' views are running 12 to 1 against the appointment.

March 29 *NZ Herald* Auckland states that 5:1 readers oppose the appointment, in a total of 131 letters in the past three weeks (101:21:10).

March 26 *Christchurch Star* April 20: result of the Heylen Poll (held March 26) based on interviewing random sample of 1000 New Zealanders aged 15 and over all over the country.

1. "Do you approve or disapprove of the appointment of a party politician as Governor-General?"

Approve: 25.6%
Disapprove: 63.2%

2. "Are you satisfied or dissatisfied with Sir Keith as Governor-General designate?

Satisfied: 44.7%
Dissatisfied: 42.9%

(iii) The Legal Profession

April 5 *The N.Z. Law Journal* (Editorial "An Office apart"): "In the case of one who is prominent and active in politics, it is a factor which cannot but weigh heavily against him."

May 16 *Auckland District Law Society:* The Society criticised the failure of the Government to heed the objections raised to the proposed appointment. "Although the constitutional issues arising from such an appointment have been spelt out, the Government so far has refused to concede the validity of such criticisms. The Council of the Society has decided that its opposition to the appointment, on constitutional grounds, should be made known."

July 2 *Public Issues Committee of Auckland District Law Society:* "The Governor-General's constitutional role only arises in times of political crisis. Where there are doubts

as to his independence, his intervention may inflame things further. It is interesting to speculate whether the crisis in Australia could have been contained if for example Sir Robert Menzies had been Governor-General and had followed the course of action adopted by Sir John Kerr. The appointment should be reconsidered."

(iv) The Presbyterian and Methodist Churches

At fully representative meetings last year there was adopted by each of these Churches a long and carefully prepared statement by their Joint Public Questions Committee highly critical of political governor-general appointments. Originally calling for revocation of the Holyoake appointment, by the time it came before the parent bodies Sir Keith had entered upon his duties, and the call was dropped. But no other alterations were made.

5. "Wild tongue, frantic boasts, foolish words:" Mr Muldoon speaks for himself

The argument of this pamphlet now moves beyond the confines of what some may think to be now a sterile constitutional controversy. I invite attention to the Prime Minister's words and conduct over a broader spectrum, submitting as I do that his actions are incompatible with the people's reasonable expectations of one holding office as Head of Government. He himself has made the record from which he is quoted below: the headings and the above-quoted expressions from Kipling are mine:

(i) A large claim

5 April 1977: *The Press* Christchurch. Interviewed in Canberra by Terry Coleman of The Guardian (England) Mr Muldoon said: "I'm satisfied that in their day-to-day problems, aspirations, worries, I'm as close to the ordinary New Zealander as any politician has ever been in our country."

(ii) Newspaper editorial opinion

30 October 1976: *Christchurch Star:* "I don't read editorials. As far as I am concerned editors can beat the air as much as they like."

(iii) Concerning a magistrate

8 March 1977: *The Press* Christchurch: "He had a comment, too, about the recent criticism by Mr H. J. Evans SM criticising such an appointment. He said that when magistrates were appointed they were people knowledgeable in the law, who, the Government thought, had wisdom and discretion. 'but occasionally the Government makes an error'."

(iv) President Carter assessed

21 March 1977: *The Press* Christchurch: "The Prime Minister has defended and repeated his reference to President Carter as a peanut farmer from Georgia. "It is a fact" Mr Muldoon said. On his arrival in Australia last week, Mr Muldoon told a Sydney Airport press conference that he had not yet got to grips with the President. He is the president of the most powerful country in the world. He is also a peanut farmer from Georgia. We would hope in time that he would absorb the realities of America's role in the world. America cannot retreat from its global responsibilities."

(v) Adverse critics and their motives

8 March 1977: *Christchurch Star:* Mr Muldoon said that editorial reaction ranged "from the downright offensive to support. The Christchurch Star was the worst and that runs fairly true to form . . . What is editorial reaction when all is said and done?"

(Sir Keith Holyoake later contributed a comment of his own regarding adverse criticism on 29 March 1977 at a meeting of the UN Association in Christchurch addressed by him he was reported (The Press 30 March): "After the meeting Sir Keith said that he was still answering letters. 'Most of them are congratulatory, but some are critical'. He congratulated New Zealand's newspapers for their criticism of his appointment, as most of the critical letters were just repeats of newspaper opinions.")

12 March 1977: *Christchurch Star:* Mr Muldoon: "When an issue such as this is raised in a critical context it is easy to get people on the spur of the moment to jump on the bandwagon and make critical comment, some for reasons of political bias, some indeed from snobbery, and some from thoughtlessness . . . My colleagues and I deeply regret the controversy that has been aroused over Sir Keith's appointment. I only hope that those who have a real interest in the future of our constitutional system will realise that a continuation of this controversy will do nothing but harm to the system, a harm which far outweighs any political advantage that they may hope to gain, and wait for a little while to judge Sir Keith on his performance."

(vi) Threats to the hapless though still respected Member of Parliament for Hamilton West (Mr M. J. Minogue, M.P., Nat.)

13-15 September 1977: *The Press* Christchurch (13 September). "The Prime Minister has threatened to oppose the candidature of one of his own back-bench members of Parliament at the next General Election. 'I will call a special caucus tomorrow and if the National Party member for Hamilton West has no sufficient explanation for his appearance on that ("Dateline Monday") programme I propose to oppose his candidature at the 1978 election'."

And on 15th September The Press reported: "Mr Muldoon said last evening: 'Mr Talboys has called him in and given him a bit of advice which I think he might well take.' The Prime Minister did not say what the advice was."

(vii) Abuse of a courageous and much respected newspaper editor (Mr Michael Forbes)

28 March 1978, *Christchurch Star:* "The Christchurch Star writes the most irresponsible editorials of any daily paper in the country, and has done for some considerable time. And the best theory I can get is that it is trying to sell its paper against the *Christchurch Press,* which is probably the best daily newspaper in the country, and can only fall back on sensationalism. In my view the Christchurch Star editorials are a disgrace to New Zealand journalism . . . They have been doing it (sensationalising) for a long time. They conducted a vicious campaign against Keith Holyoake just a year ago and the Governor-General's in the process of proving them so utterly wrong that they should be ashamed of having conducted the campaign."

29 March 1978 *Christchurch Star:* "The Prime Minister reacted sharply last night to Christchurch Star editorials calling for his removal. He dismissed the editorials as 'trivia' and told a news conference in Wellington the Star was still trying to sell papers . . . 'They had a feature not very long ago glorifying their Editor. Pages and pages of it. Frankly I'd hardly ever heard of the man. I think he's one of these fellows that illustrates the Peter principle. He's been promoted to the level of his incompetence'."

(viii) Trevor Richards (HART) reviled

4 August 1978: *The Press:* "The leader of the Halt All Racist Tours Organisation Mr Trevor Richards was a dissident, and if he had committed any offence he would be dealt with by the Courts, said the Prime Minister Mr Muldoon yesterday." He was speaking after a debate in Parliament the previous evening when, as reported in Hansard, the following took place) –

Mr R. L. G. Talbot (National, South Canterbury, Chairman of the Foreign Affairs Select Committee): The Deputy Leader of the Opposition continued the remarks made by the member for Wanganui about New Zealand's position in the world. It is sad that a member of the House should, along with Trevor Richards, stoop to join the ranks of traitors to the Western World, to New Zealand, and to the Commonwealth.

Rt Hon. W. E. Rowling: Try saying that outside the House and see how you get on.

Mr Talbot: I do not need to say it outside the House. I am saying it now for the whole of New Zealand to hear. That is what the people believe. I am very pleased to have the opportunity and the privilege to say it in the House, because, as the Leader of the Opposition should know, it is a fact of life. It is a pity that this country does not have some sort of law to control people like Richards, who do so much damage, not only to New Zealand but also to the Commonwealth. He is the sort of person who puts the Commonwealth and its future under threat. The country had had its fill of Richards and his Labour spokesman, the member for Wanganui, poor-mouthing New Zealand in below-the-belt attacks. . . a new national pride is required to get rid of New Zealand's knockers, some of whom sit tenuously on the Opposition benches and consciously align themselves with some of New Zealand's most traitorous international knockers, including Trevor Richards, who I hope will soon receive compulsory citizenship of Nigeria.

This vicious and disgraceful attack by Mr Talbot preceded the words used against Trevor Richards by the Prime Minister himself the following day. So far from being "dealt with by the Courts", Richards was never even charged with any offence. I quote from the Christchurch Star of 4 August 1978 in which the following report appears: "Severe misgivings regarding the continued personal attacks by Mr Muldoon on Mr Richards (leader of the HART organisation) have been expressed by a Committee of the Roman Catholic Church in Christchurch. This came in a statement by the International Justice Committee of the Christchurch Commission for Justice and Development. A spokesman, the Rev Fr. Neil Vaney S.M. said that the Committee was deeply disappointed at the personal abuse Mr Muldoon inflicted on his political opponents, and suggested that the office of Prime Minister should be above such personal attacks."

6. Mr Muldoon, his Party, and the Electorate

31 July 1978 Christchurch Star: At the National Party Conference the Mangere candidate Mr Peter Saunders asked the Minister of Labour Mr Gordon if he could see any end to "petty debate" in Parliament. Mr Muldoon handed the question to the Minister of Broadcasting Mr Templeton. "Don't worry about the to-ing and fro-ing in Parliament," said Mr Templeton; "We are fighting for power. Every moment you've got to be winning in Parliament. That's what politics is all about."

Words, words, words. Immediate and impulsive, and therefore to be disregarded? Or important and significant because immediate and impulsive? They present to me as coming from men whose confusion and weakness on priorities is such that, if they think about "the public good" at all, they identify it with "what's good for the party." And from men who, helplessly perhaps, seek power above all else.

Let them have it that way if they can. I remind them, and especially their chosen leader, that it is the people of New Zealand who will decide whether, any longer, they should be entrusted with it.

7. Conclusion

I reach the conclusion that Mr Muldoon's defects of judgment, temperament, and character make him unfit for the leadership of this country. Is not leadership directly dependent upon respect? Upon mutual respect between government and governed? Do those who follow him respect him? Does he respect them, and others? These, I believe, are crucial questions.

For my part I respect the Leader of the Labour Opposition. I believe he respects others. It is of course not sufficient that, throughout the Governor-General episode last year, he acted in a most responsible, sensitive and statesmanlike manner: of course I look beyond that. And chiefly to the kind of leadership he offers New Zealanders, Maori as well as Pakeha. It recommends itself to me as essential to the restoration of unity, purpose, and goodwill. I believe that Bill Rowling is a good as well as an able man, capable of restoring these things. I shall vote him and his Party my support on 25th November.

Harold Evans

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To the Reader:-

I am sending a copy of this pamphlet, "Case Against Robert Muldoon and his National Party Government", to every candidate in every electorate, and to many other people besides. It will also be made generally available as widely as possible.

May I urge those who find it convincing to endeavour to persuade others to read, consider, and discuss it. I think that many National Party candidates will want to escape having to discuss it.

In this democracy of ours, general election day every three years is our big moment. Parliament itself has been taking some hard knocks lately, but it is still the best thing we've got, and we can still freely choose those men and women whom we want as members of our House of Representatives. I believe that if we choose them well, if we vote for New Zealand the way we really want it, we shall be helping to make Parliament itself, and New Zealand, come alive.

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